

**United States District Court
Eastern District of Michigan
Southern Division**

United States of America,

Criminal No. 24-20274

Plaintiff,

Hon. Denise Page Hood

v.

Hon. Kimberly G. Altman

Jibreel Pratt,

Defendant.

_____ /

United States’ Motion for Detention and Supporting Brief

Defendant Jibreel Pratt is a man of many talents. And he swore a binding oath to use them to expand ISIS—a genocidal anti-American designated foreign terrorist organization. Because of Pratt’s actions, a grand jury indicted him on two counts of attempted material support for ISIS. His charges carry a presumption of detention under 18 U.S.C. § 3142(e)(3).

Pratt’s case began when he initiated contact with FBI confidential human sources that Pratt believed to be an ISIS travel facilitator (the “ISIS source”). In the months that followed, Pratt repeatedly expressed his support for ISIS and his desire to leave America because “these people are savages. Like rabid dogs.” He planned to travel to the Middle East, join the terrorist organization, and serve ISIS as a leader. He was also willing to create a terrorist “cell” here. He said that the kufir (non-Muslims in ISIS propaganda) “must still fear that they cannot hide even in their land.” Pratt

painstakingly developed plans for ISIS “to operate in the shadows” so that ISIS could “kill” as many “kufir” as possible.

Pratt made and sent plans to use his counterintelligence and criminal cyber skills to build an ISIS intelligence arm. Pratt reviewed and improved ISIS battle tactics. He devised a scheme to use suicide drones and remote control cars loaded with deadly explosives. He bragged about his gun training, violence, and willingness to send kufir to “meet jahannam,” which roughly translates as hell. And Pratt boasted that he “is ready and he has done things recently that gives him the stomach to hurt the kuf[i]r.” In the meantime, Pratt would pretend to “maintain a normal life and raise no suspicions.” Pratt’s words were not idle.

Pratt prepared to fight for ISIS. He recorded videos of himself pledging allegiance (called “Bay’ah”) to ISIS’s leader and sent them to the ISIS source. He collected and sent the ISIS source photos of his battle gear and guns. He purchased airline tickets for travel from the United States to the Middle East. Pratt repeatedly sent the ISIS source highly technical manuals and research in sensitive areas of defense and intelligence. He sketched and sent tactical diagrams for fighting against and using explosives in doorways to kill American soldiers. And on two separate occasions, Pratt sent shadowy crypto payments to fund ISIS operations, including the funding of an “istishhadi” (or martyrdom) brother.

During Pratt’s planning, the FBI arrested him on separate and sophisticated cybercrimes that predated his ISIS plot. When they did, they found loaded guns—

including an AR-style semiautomatic rifle and handgun that matched a picture that Pratt had sent to the ISIS source, a tactical gas mask and boots, and goodbye letters to his family. Pratt was released on bond, without knowledge of the ISIS investigation.

While on this Court's bond and federal supervision for his cyber case, Pratt quickly reached out to the ISIS source and told the ISIS source (emphasis in the original) to "DELETE EVERYTHING" and plotted to jump bond and flee the country. Pratt vowed that, since his arrest, his "drive and determination has not lowered but increased" and that he wanted to "grow" ISIS to even "bigger heights" than when it had unleashed savage tyranny across the Middle East. To further his flight plot, Pratt purchased a passport photo to be used in a fraudulent passport. A few months later, he made a renewed Bay'ah to the new ISIS leader (the prior having been killed). Pratt repeatedly stressed that "every day" he longs to travel to fight for ISIS. Pratt doggedly asserted that "i wont [sic] let anything restrict me or prevent me from the duty i am made to do." And when agents recently executed a new search warrant, they found that Pratt—while on federal bond—had secreted a cellphone and another loaded gun in his dog's food and ammo in the wall. These bond violations trigger an additional presumption of detention under 18 U.S.C. § 3148(b).

Pratt's meticulous plotting to support ISIS makes him a danger to the community. He is also a self-confessed flight risk. And he has continuously violated his current federal supervision by possessing a loaded gun, continuing his ISIS plot, and planning his escape. He should be detained.

I. Facts

The government proffers the following facts in support of detaining Pratt.

The Islamic State of Iraq and al-Sham (ISIS)

ISIS is a well-known anti-American terrorist organization.

In 2004, the U.S. Secretary of State (the Secretary) designated al Qaeda in Iraq (AQI), then known as Jam'at al Tawhid wa'al-Jihad, as a Foreign Terrorist Organization (FTO) under section 219 of the Immigration and Nationality Act (INA) and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224. In 2015, the Secretary added the following aliases to the FTO listing: Islamic State, ISIL, and ISIS. To date, ISIS remains a designated FTO.

In 2014, at a mosque in Mosul, Iraq, Abu Bakr al-Baghdadi declared himself the Caliph of the Islamic State, which was also known as the Caliphate. Al-Baghdadi also called on Muslims around the world to make "Hijrah," a term that means to immigrate to ISIS territory and join the Islamic State. According to a report published by the United States House of Representatives in 2015, more than 25,000 foreigners traveled to Iraq and Syria and joined ISIS as fighters. This included 4,500 people from Western countries and more than 250 Americans. These foreign fighters were deployed as part of ISIS's attempt to take over and hold large parts of Syria and Iraq, which was a vital objective of the Caliphate. At its peak, the Islamic State ruled over parts of Syria and Iraq equivalent to the size of the United Kingdom. But over the ensuing years, the United States and coalition forces defeated ISIS in several battles

and ultimately expelled ISIS from the territory it had conquered, resulting in the defeat and collapse of the Caliphate in 2019. Although ISIS lost the physical territory it had conquered, the group continues to conduct terrorist attacks and other operations in Syria, Iraq and around the world. ISIS also continues to pursue the goal of one day re-establishing the Caliphate.

Pratt reaches out to ISIS

In early February 2023, Pratt used an encrypted WhatsApp number to contact the ISIS source, who was posing as an ISIS travel facilitator. The FBI confirmed through legal process, open source review, and other data bases, that Pratt was the only subscriber for the WhatsApp number. Pratt's WhatsApp profile picture (shown here) fronts a photo of Anwar al-Awlaki.



Anwar Al-Awlaki was an Islamic lecturer and a leader of Al-Qaeda in the Arabian Peninsula (“AQAP”), a Yemen-based designated foreign terrorist organization that has claimed responsibility for terrorist acts against targets in the United States and several other countries. Al-Awlaki was personally involved in planning the bombing of Northwest Flight 253, bound for Detroit on Christmas Day 2009. (*See* United States v. Abdulmutallab, Case No. 10-20005, ECF No. 130, Page

ID.1130-32.). Al-Awlaki was reportedly killed in Yemen in 2011. Al-Awlaki's lectures, even in death, have inspired and radicalized numerous homegrown extremists. This list includes Omar Mateen (the American Islamic terrorist who murdered 49 people and wounded 53 others in the Pulse nightclub mass shooting in Orlando, Florida) and Syed Farook (a perpetrator of the Islamic terrorist attack at the Inland Regional Center in San Bernardino, California, who, along with his wife, murdered 14 people and wounded 22 others), and ISIS still uses his ideology to radicalize new recruits. When the ISIS source asked Pratt how the ISIS source could help him, Pratt clarified that it "is the other way [...] I want to help you, and the ummah" (a term for the collective Muslim community). Pratt then said that he wanted to "do hijrah, so that Pratt could bring his "skill" and Western learning to them, and "become a leader, teacher and protector" of the ummah. In April 2023, Pratt told the ISIS source that he had changed his WhatsApp number and then continued to communicate with the ISIS source on his new number. Pratt offered the ISIS source several ways that he could help ISIS against its enemies, including America.

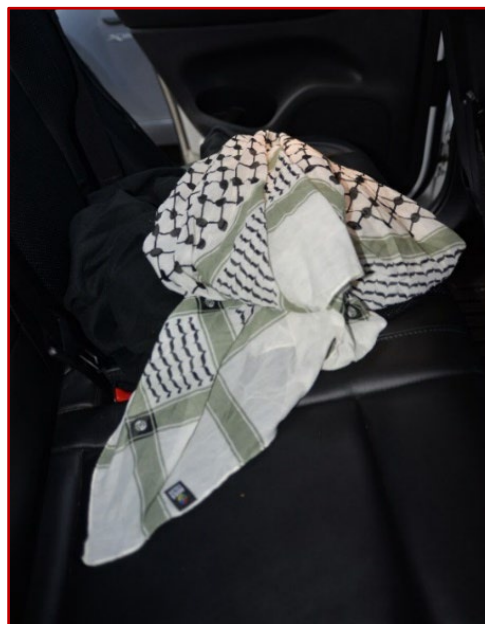
Pratt swears allegiance to ISIS

By the second week of February, Pratt and the ISIS source discussed Pratt's "Bay'ah." Pratt made it clear that he was "dedicated to helping the ummah 100%" and was "ready when" ISIS "is ready for me[.]" Pratt said that he was "ready for Bay'ah." He made it clear that once he did his Bay'ah that was "it," and there was "[n]o turning back." Pratt sent a blurred out Bay'ah video back to the ISIS source, with a full

English pledge of allegiance to ISIS Caliph Abu Al-Husaini Al-Qurashi. A few days later, Pratt sent a clear version of his Bay'ah video, this time only blurring his eyes to “be safe.” Pratt’s gray hoodie and distinctly patterned head scarf are prominent.



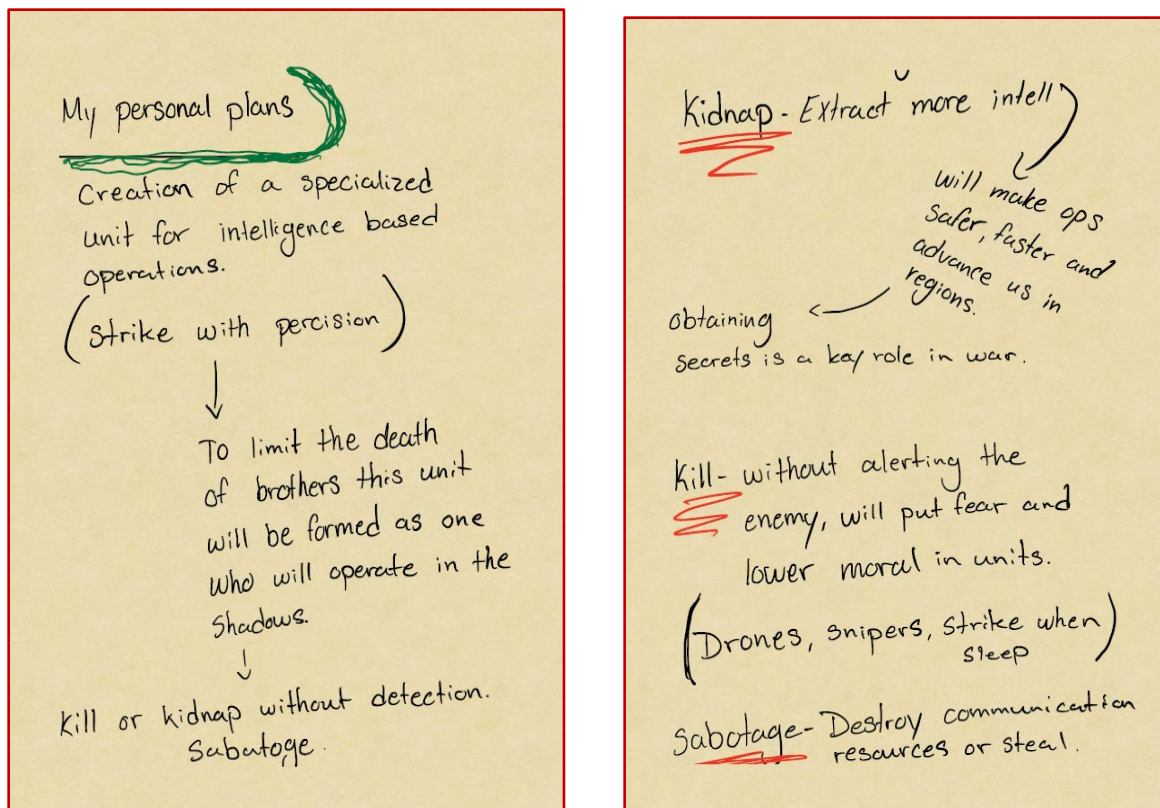
When agents arrested Pratt, they recovered the distinctly patterned head scarf and gray hoodie in Pratt’s Tamarack apartment and his vehicle.



Pratt's plan to use his criminal cyber skills to build ISIS intelligence

In February 2023, Pratt told the ISIS source that his “main objective” is doing “cyber security” for ISIS. Pratt said he was already “doing something illegal here” like “stealing crypto,” and that he had a computer hacking skill called “Penetration Testing,” which means to “breach companies[] systems.” Pratt said he would “be a big asset” for ISIS, and that he wanted to “do all i can to ensure the safety of the ummah.” He also hoped to build an intelligence agency within ISIS because it is necessary “to use the brain to make sure the weapon is precise on its target,” and noted that “it is not something I expect to accomplish in a day [because] it will require a lot of brothers and time.” To this end, Pratt provided the ISIS source with a sketch of his initial “intelligence” plans for “Signals Intelligence (SIGNIT),” “Human Intelligence (HUMINT),” “Imagery Intelligence (IMINT),” “Measurement and Signature Intelligence (MASINT),” “Open Source Intelligence (OSINT),” “Cyber Intelligence (CYBINT),” and “Geospatial Intelligence (GEOINT).”

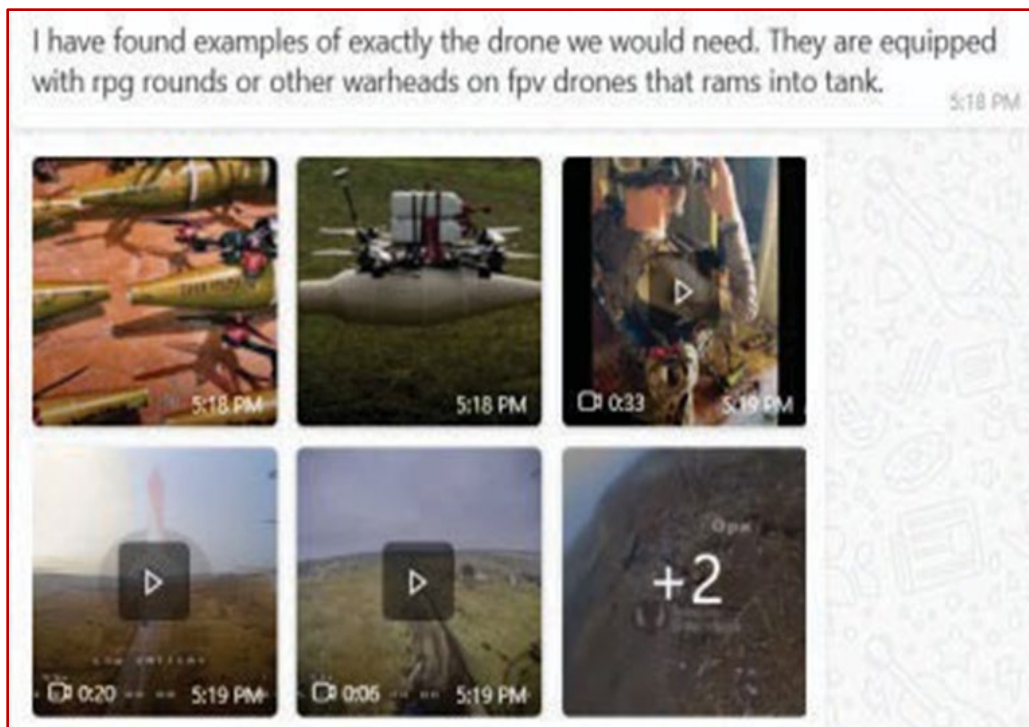
On February 28, 2023, Pratt sent the ISIS source more than 30 handwritten “personal plans” with a date of “02/28” that stated that Pratt wanted to create a “specialized unit for intelligence based operations” that will “kill or kidnap without detection.” According to Pratt, the purpose of the kidnappings would be to obtain more intelligence, while killing without alerting the enemy would “put fear” in the enemy. Here are two pages:



About a week later, Pratt reiterated his “interest” in a creating and having a “leadership role” in a “quiet squadron” for ISIS that would conduct “interrogat[ions],” “kidnapping,” and “assasinations [sic].” Pratt continued to discuss his desire to be placed into an ISIS “leadership role,” and “need to get trained and learn under the necessary leaders for this as soon as possible.” Pratt said that his training was necessary for “us to gain control and grow the state[.]” Pratt confirmed that he was “ready to follow my destiny and serve the ummah,” that he had “developed the skills and knowledge to help in diverse ways,” and that he would be “a great brother and leader for the state.

Pratt's plan to use suicide drones to help ISIS

In mid-February 2023, Pratt requested an “assignment” from the ISIS source and told the ISIS source that he had been researching drones as part of a plan with his “friend” overseas “to develop a company for suicide drones for the ummah.” Pratt sent the ISIS source documents in PDF formats covering the use of drones in terrorist attacks, intelligence analysis, military analysis, special warfare tactics, cryptocurrency and money laundering, and the structure of ISIS. During these conversations, Pratt said that he ordered a drone so that “I’ll be able to practice and see if I can exploit it some way” and know how to “operate them.” He said that he “figured out” that “[r]econ and payload” are “what you need for drones.” Around the same time, Pratt asked the ISIS source if there was “anything else for” him to work on. Pratt then confirmed that he had been practicing and that the drone was “pretty easy to fly,” although he “broke a wing” on the drone. Pratt elaborated on his drone plans to the ISIS source and discussed installing remote detonators or impact triggers. Pratt provided images and videos of suicide drone attacks as examples. He also sent the ISIS source “.zip files for [a] 3D printer to create certain drones along with a drop system for some type of payload/warhead[.]” Here is a screenshot of some items that Pratt sent to the ISIS source.



At the end of February 2023, Pratt sent the ISIS source approximately 31 pages of handwritten and dated notes outlining Pratt's drone plans. Pratt's plans included research methods, and drone strike tactics. Pratt detailed three drone "weaponization" options: "drop system," "remote detonat[ion]," or "suicide." He gave the "example" of targeting a "military base" for "complete destruction[.]" In Pratt's handwritten plans, he noted that his intelligence operations and drone attacks will "operate in the shadows." Near the end of March 2023, Pratt sent the ISIS source a file titled "Drones.zip," which contained "the predator drone files and manual." Pratt noted that he is also "trying to get the [I]ranian suicide drone files and turkey suicide drone files." Pratt sent a drone attack diagram and said that "if we could build these it would change the current state of dawla" (a term used by ISIS to refer to itself, also seen as dawlah or dowla). Pratt had more ideas for delivering explosives against his enemies.

Pratt's plan to use exploding remote control cars to help ISIS

In February and March 2023, Pratt told the ISIS source that ISIS should also look into using remote controlled cars ("RC") as well. He discussed different ways to utilize RCs with explosives, including a "remote detonation payload," or a RC "that has a mechanical arm that can place a payload with [a] magnet under [a] car and drive away." With one model, Pratt noted that if "a human can stand on it[,] i think it shouldn't have a problem with an artillery round with a detonator or [sic] some kind attached." Pratt stated that he had "reached out to [manufacturers] to see if purchasing direct is possible and shipment to the region is possible." He also provided advice on ways to circumvent inspections by separating the RC parts. Pratt said it would "be very exciting to see [his RC plan] operational and successful[.]"

Pratt improves ISIS battle plans and covert shipping networks

In mid-March 2023, Pratt reviewed two videos displaying ISIS battle operations from the ISIS source. Pratt suggested that they keep one enemy "leader" and one "basic soldier" "alive for interrogation." Pratt then provided handwritten diagrams of his recommendations for tactical operations, including identifying "weak points," positioning troops, and weaponry placement. During this same time frame, in addition to the military tactics, Pratt provided the ISIS source with logistical suggestions for a squadron-based communication network. He sent the ISIS source handwritten notes to establish a shipping and receiving "front" in the ISIS region. He said his proposed operation was similar to a drug dealing structure. Pratt stated that

his plan was based on “my experience/what I’ve done and what I’ve seen,” and he would “work on it now[.]” He suggested using the legal front business as a screen for the “‘dirty’ business” that would send products to ISIS. Pratt was “looking forward to helping the state come back better than it was.”

Pratt’s training and willingness to use guns and explosives

At the start of March 2023, Pratt sent the ISIS source a photo of several guns (shown here), described himself as “very versed at building AR platforms,” and noted that he had “trained” and “hunted coyotes and deer.”



The long guns in the photo are consistent with an AR-style and Zastava ZPAP M92 firearm. And Pratt registered a Zastava ZPAP M92 in his name on or about October 30, 2021. The black handgun is consistent with a handgun in a subsequent

March 2023 photo from Pratt. Agents recovered two of those guns in August 2023 when they executed search warrants on Pratt's homes (see below). Both were loaded.

In mid-March 2023, Pratt discussed ISIS training with the ISIS source. Pratt told the ISIS source that Pratt is "100% certain" that he "will have zero issues with" the weapons portion of his ISIS training. Pratt admitted that explosives training "will be a new skill for me" and "an interesting one to learn."

When the ISIS source advised Pratt that he will be in a leadership position for ISIS as a tactical strategist, Pratt replied that he figured he would eventually have that position. Pratt expected to lead his "own unit throughout" ISIS, that his unit "will get things done," and said the "amir can count on it." "Amir" refers to the leader of ISIS.

Around the same time, Pratt told the ISIS source about Pratt's recent confrontation at a gas station. Pratt said that a man was "yelling at" him, but the man did not know that "I have something with me thatll [sic] end his life[.]" And Pratt said that Pratt "almost made a kafir meet jahannam (hell) a few minutes ago." Pratt also warned that with "[o]ne odd move" by the kafir, Pratt would have made the "kafir's" son into a "bastard." Along with these statements, Pratt sent the ISIS source a photo of a handgun, with a person's hand resting on it. The handgun in the photo appears similar to the handgun in the early March photo (above) that Pratt sent to the ISIS source. Both photos show a dark handgun, with the same trigger guard, handgrip, and apparent laser sight. Pratt's photo has the warning "One wrong move."



A watch (consistent with an Apple watch) is visible with the date “THU 16,” which is the same date Pratt sent the photo, and Pratt’s WhatsApp profile picture (shown here) contained an image of a person wearing the same type of Apple watch.

Pratt’s interest in explosives

In May 2023, Pratt discussed using explosives to help ISIS. Pratt provided handwritten notes to the ISIS source showing where to place explosive charges on doors. Pratt stated that “the idea for this is to buy brothers enough time to wake up and get prepared while vulnerable” and that the explosive “has potential to eliminate.”

Pratt sends crypto to fund ISIS soldiers whom Pratt will command

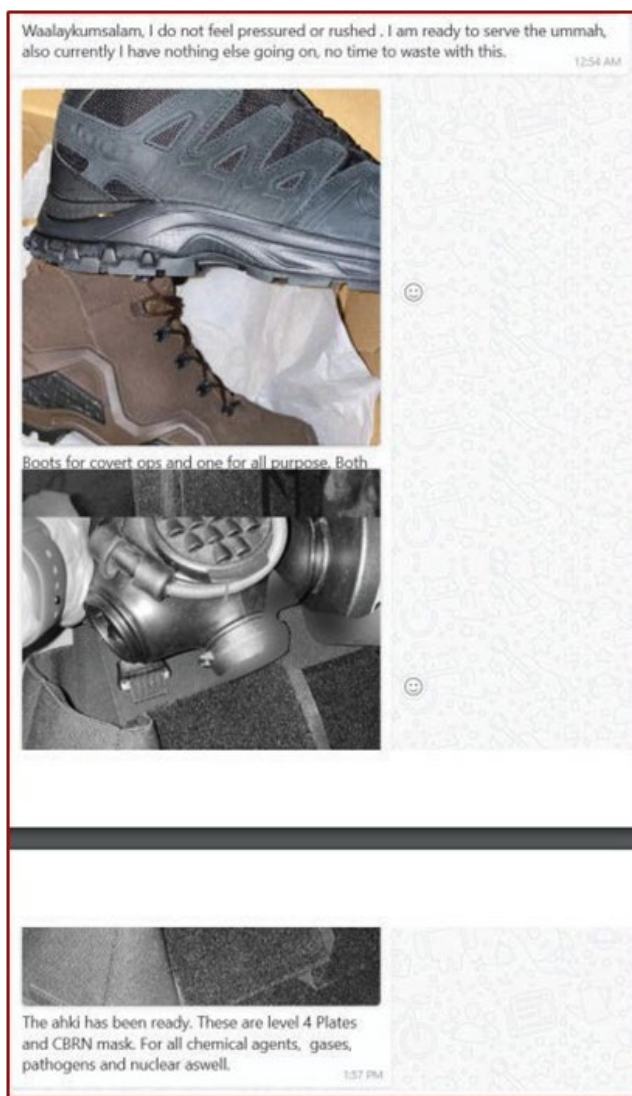
In mid-March 2023, Pratt and the ISIS source discussed other “brothers” who wanted to join ISIS from another part of the Middle East. Pratt said that he would pay for these recruits travel to ISIS and recommended using cryptocurrency to “get

around borders and sanctions.” These ISIS brothers were to join the same post that Pratt was to be leading. Pratt then sent his own “chainanalysis” (a graphic of a publicly available digital ledger known as a blockchain) and “cleaning service” (converting money obtained illegally into legitimate currency) for the crypto that he would send to the ISIS source. Pratt and the ISIS source settled on bitcoin (BTC). Pratt received from the ISIS source the recipient address that Pratt needed to send the bitcoin to, “X,” which was in fact a government-created wallet (“the Government Wallet”). Pratt confirmed that he would make his BTC transfer to ISIS and stated that the funds “[s]hould cover it all plus fees.” Pratt then reiterated that “[w]e have a mission to accomplish and are brothers.” Within a day or so, Pratt sent approximately 0.0126563 BTC to the Government Wallet, which was equivalent to \$ 350. Pratt sent a confirming screenshot that matched the transaction in the Government Wallet.

Pratt’s plans and preparation for making hijrah to violently support ISIS

By mid-February 2023, Pratt began discussing his plans to travel to ISIS for hijrah in July 2023. Pratt quickly gathered his fighting gear. By the beginning of March 2023, Pratt confirmed that he had obtained the “military boots that are waterproof.” Within days, he said he had completed “about 65-70%” of his travel preparations. Shortly after, Pratt sent a picture to the ISIS source of tactical boots and a gas mask (shown below). Pratt described the items as having “level 4 Plates” and being a “CBRN mask [f]or all chemical agents, gases, pathogens and nuclear as well.” Pratt told the ISIS source that he did not feel pressured or rushed into his decision to come

fight for ISIS. He also said that he had obtained pant “sets for covert ops and all purpose tact pants.” He confirmed that Turkey would be his “first stop” before heading to his “post” with ISIS, what Pratt called “my actual place of operation.” Pratt sent this photo of his boots and gasmask and was “ready to serve the ummah[.]”



As seen below, when agents later arrested Pratt in August 2023 on a separate federal cybercrimes complaint, they found both sets of Pratt’s boots and his gas mask at his home (on Bentler).

Pratt made detailed travel plans and bought a Delta Airlines flight ticket with Pratt's email as the address for the purchase. His ticket included a layover in France and arrival in Istanbul, Turkey in late April 2023—just as Pratt had stated. Pratt also confirmed that he had paid his Turkey E-visa. Pratt informed the ISIS source that “my hotel is booked,” and that “Im ready to get to work[.]” Pratt said that he was “[n]ot nervous or anything. I’m happy to have this opportunity to come to dowlah. just ready to be there and begin working.”

Pratt continued to talk with the ISIS source about his travel plans. Pratt raised the prospect of “creat[ing] residence in turkey and becom[ing] a traveler to all countries with the caliphate established to be [the person] who helps and aligns cells from our Amir[']s word to them . . . and ensure that these other cells are inline [sic] with our Amir[']s ideas.” Pratt stated that their “goal is to own all land from the Arabia peninsula to Africa and beyond.” And Pratt confirmed that “I am willing to do whatever i must even if it means sacrifice but, I would like to be around to see the caliphate [often utilized by ISIS members to describe their territory] become more than it ever was and help if I have the ability to prevent an early martyrdom.” Pratt reiterated that “my commitment has not changed. I am helping dawlah wherever my life takes me Insha’Allah, wether [sic] i stay here [or] come there[.]”

In late April 2023, Pratt rescheduled his flight out of DTW for May 2023.. But Pratt confirmed to the ISIS source that he has “every intention on making Hijrah” and “I have made my byah, and I intend on keeping my word.”

Pratt's second crypto payment for ISIS

At the start of May 2023, Pratt contacted the ISIS source about rescheduling his Hijrah. Pratt wanted to reaffirm his commitment to ISIS and decided to help with the funding needs for people making hijrah and also for an “istishhadi” (an Arabic term for martyrdom) brother. The ISIS source told Pratt to send the bitcoin transfer to a second government created wallet (“the Government Wallet 2”). Pratt told the ISIS source that he sent \$530 in bitcoin to the Government Wallet 2, and the ISIS source confirmed that approximately 0.01870412 BTC were received in the Government Wallet 2.

Pratt's missile plans

In mid-March 2023, Pratt initiated discussions with the ISIS source about the need for ISIS to get “air defense” so that “our lands can become secured and safer.” Over the next several months, Pratt repeatedly engaged with the ISIS source on ways to acquire complex missile systems for ISIS. Pratt wanted ISIS to get “weaponry that the brothers could use to lock on to aircrafts, some sort of anti-aircraft system like SAM (Surface to Air Missile).” Pratt also said that he was “waiting for a contact to reach back to me about information on Predator and Reaper drone the US uses[.]” Pratt told the ISIS source that Pratt had a contact that has “mbda missile systems similar to patriot missile [sic] systems,” and that he directed his contact to look for “anything related to” intelligence, including “tactics,” “CIA intel,” and “[w]eaponyary [i]ntel.” That April, Pratt told the ISIS source that he was talking to a contact from

Iran and was finding out information on “Iron Dome, Patriot Missile Systems and Shahed-136 kamikaze drone files.” In May, Pratt and the ISIS source discussed Pratt supplying specific graphics cards to help ISIS’s air defense technology.

Near the end of July 2023, Pratt sent the ISIS source a message saying, “it’s arrived,” and sent a picture of two graphics cards with the dimensions they had discussed. In August 2023, Pratt said that he was preparing to send the graphics cards. Pratt reiterated that he still had his plane ticket voucher from his cancelled flight and was still collecting money for the trip. Pratt said that “I am dying to come,” and boasted that “[w]hen the time comes for my return, I will be the very person to change the direction of dawlah.”

Pratt’s continuing plans to travel and support ISIS

In June and July 2023, Pratt told the ISIS source that he wanted to travel again and to “return to my path with helping dawlah.” Pratt stated, “just let me know what I need to do to return and I will do so.” And in early July 2023, Pratt stated to the ISIS source that he planned on “leaving everything behind” because “these people are savages. Like rabid dogs.” Around this same time, Pratt moved from his grandparents’ home on Bentler to an apartment on Tamarack Street in Wixom, Michigan. In August 2023, Pratt reiterated that he still had his plane ticket voucher from his cancelled flight and was still collecting money for the trip. Pratt said that “I am dying to come,” and boasted that “[w]hen the time comes for my return, I will be the very person to change the direction of dawlah.” That same month, Pratt expressed remorse to the

ISIS source for the death of the ISIS leader to whom he gave his Bay'ah (Abu al-Hasan Al-Hashimi al-Qurashi whose death was widely reported at this time). Pratt asked whether he needed to give another Bay'ah to the new ISIS Amir. When told that he will need to do so, Pratt responded that "I will be doing my bayah soon Insha'Allah." Pratt later stated that he "would love to do things related to dawlah," that he "would love to play my part" in making the kufir pay for their actions, and that he "is ready and he has done things recently that gives him the stomach to hurt the kufr." Near the end of August, Pratt told the ISIS source that "I am ready to leave this place, for good."

Pratt's desire to start an ISIS cell in America so that the "Kufir" "cannot hide even in their own land"

In August 2023, Pratt discussed creating his own cells in the United States. Pratt told the ISIS source that "Im ready to start my real job though I wish I could start here I would and (sic) create the cell here" and "Yes if my job is related to cells we should establish here prior to my departure." Pratt discussed with the ISIS source how to gather and extract intelligence for ISIS. On capturing a potential spy, Pratt said "If there are multiple, I would personally extract data quickly to use him as a pawn mean (sic) kill him so they fall in line fearing they are next." When discussing killing the families of spies, Pratt said "That thought came to mind which is why I stated a cell here for these types of situations." Pratt further stated: "Despite being many miles away they must still fear that they cannot hide even in their land." Pratt gave an example of how he utilized a tactic like this previously. Pratt stated: "If he is

found to be a spy, the first thing that must be done is to acquire his family to catch a rat in the trap . . . Once he is captured put him in the same room as his family and see where [h]is mind is before serious things occur. If nothing takes from that, we will start off with who he loves the least and save his precious to the end.” Pratt informed the ISIS source that “The goal is to extract data but to kill him is also fine” and to “extract the data from him before he died.” The ISIS source informed Pratt that the brother he sponsored with his money utilized similar techniques to discover a spy and that the spy’s entire family paid for the spy’s actions. Pratt responded “Good” and that “the kufr are easy to break. You must realize I’ve grown up with them my entire life so it will be easy for my [sic] to put myself in their shoes to see their perspective to get the up on them.” When the ISIS source stated that they sent these people to Jahannam, Pratt again replied with “Good.” The ISIS source told Pratt that he will lead groups like this, and Pratt said “I cannot wait to meet you all. I am very excited.”

Pratt is arrested on crypto charges and then—while on this Court’s supervision—doubles-down on his ISIS support

On August 26, 2023, FBI agents arrested Pratt on a federal complaint, Case No. 23-30352, that charged Pratt with various offenses for an alleged computer fraud scheme from approximately December 2019 to July 2021. (Case No. 23-30352, complaint, ECF No. 1, PageID.35). In that case, a U.S. Magistrate Judge determined that there was probable cause to believe that Pratt violated several federal statutes through his actions on an illicit online marketplace named Genesis Market. (*Id.*). Specifically, Pratt used Genesis Market “to seek out packages of stolen

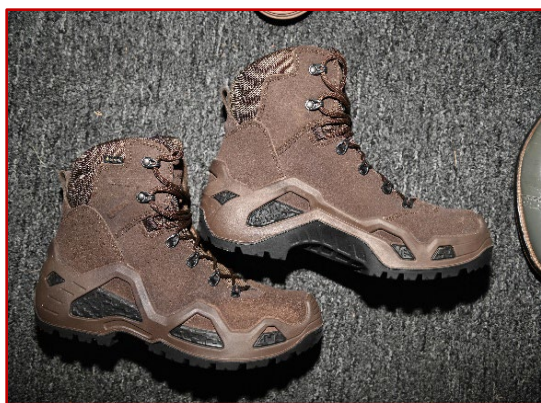
credentials containing banking and cryptocurrency account information.” (*Id.*, PageID.41). Pratt “purchased 13,976 stolen credentials” using his Coinbase account, which exhibits a history of large, unexplained transactions. (*Id.*). Pratt used Genesis Market services to generate device fingerprints, [and] install[ed] plugins to better impersonate victim devices, and then offered feedback to other Genesis Market users concerning the efficacy of stolen credentials.” (*Id.*).

Agents arrested Pratt at DTW, where he was scheduled to take a flight from DTW to New York, New York, that day. Pratt made his initial appearance the same day and was released on bond. The investigation into Pratt’s material support of ISIS was ongoing and undisclosed at that time.

Agents find Pratt’s loaded guns and ISIS equipment at two locations

From the beginning of this investigation in February 2023 until about July 2023, Pratt was living at the residence of his grandfather and grandmother, located at XXXX Bentler in Detroit, Michigan (“Bentler”). In July 2023, Pratt moved from Bentler to XXXX Tamarack Street in Wixom, Michigan (“Tamarack”).

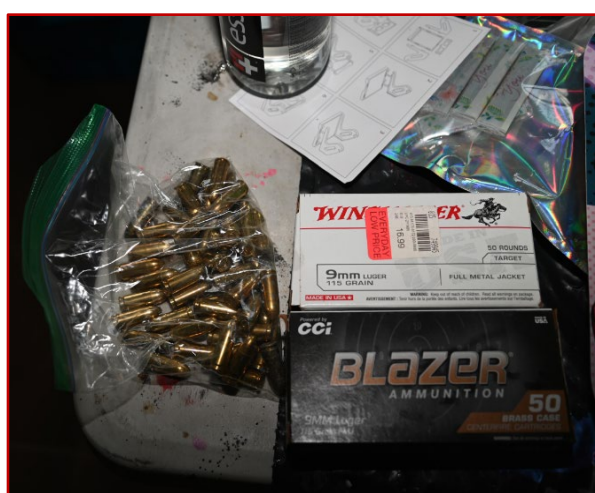
On the day of Pratt’s arrest, FBI agents executed federal search warrants at the Bentler home and the Tamarack home. At Bentler, the FBI found boots and a gas mask that match items Pratt discussed traveling with, as shown above (page 17).

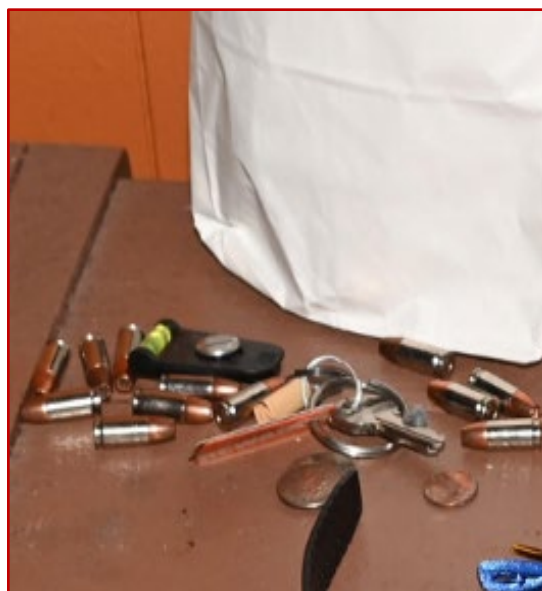
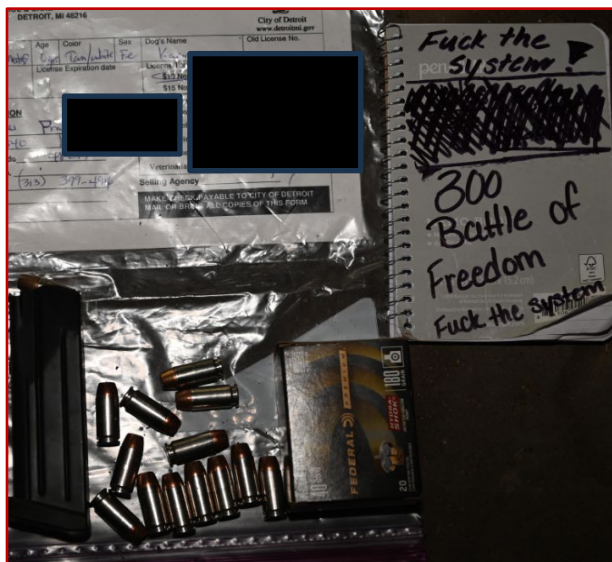


Agents also found two guns at Pratt's home on Bentler. A SLR107R-11E 7.62x39mm black semi-automatic rifle with enhanced fire control in the same room as Pratt's brown tactical boots. And a .22 caliber woodgrain rifle with a scratched serial number was found near the front door. Both guns were loaded.

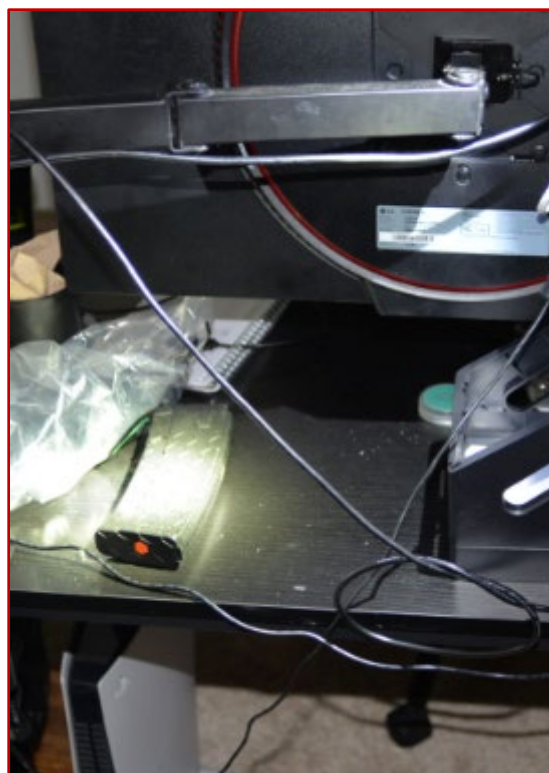
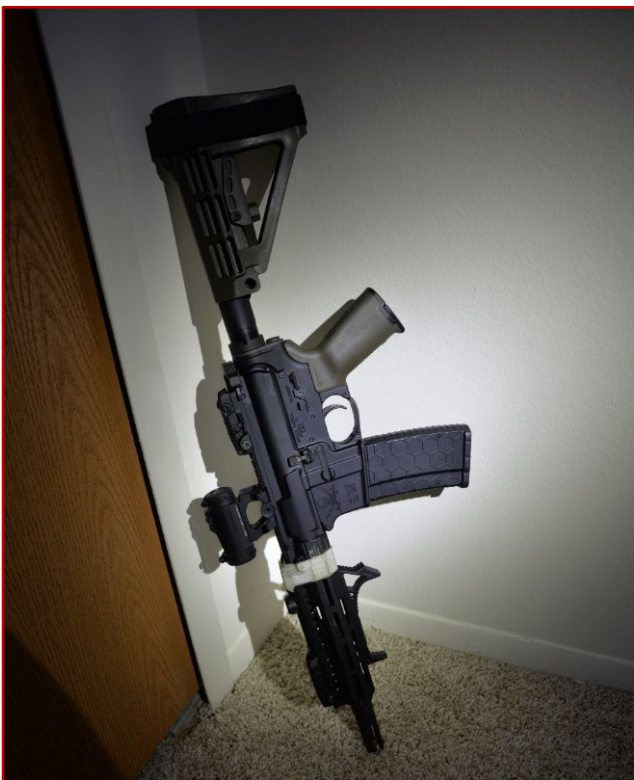


Agents found another loaded magazine for the black rifle, several boxes of ammunition, shotgun shells, and other loose ammunition in the same room as the black semiautomatic rifle and throughout the house.





At Tamarack, agents found guns that matched the guns in the photo that Pratt had sent to the ISIS source, as described above. This is the BCM 300 Blackout AR firearm loaded with almost 30 rounds, and separate loaded magazine in his apartment.



And here is Pratt's loaded Glock 19 9mm handgun from inside his vehicle (in was on the side of seat, in a holster) outside the apartment.



Agents also recovered Pratt's scarf (in his vehicle) and hoodie (in his closet) from his Bay'ah video (see page 7 above). And in the closet they also found two loaded magazines, more 9mm ammunition, and other mixed ammunition.

At Tamarack, the FBI also found undated handwritten letters inside Islamic books on the windowsill in Pratt's bedroom next to the bed, including one addressed to "Dad" and another to "Pawpaw" (an apparent reference to Pratt's grandfather). On the letter to Dad, a code was left on the front that was utilized to access Pratt's Apple iPhone that was recovered from his person upon his arrest. The letter was also signed "Breely," a known alias of Pratt. The handwriting in the letters appeared consistent with handwriting Pratt sent on numerous occasions to the ISIS source. In the letter to

Dad, Pratt stated: “Take care of yourself and be safe. Things were just not working out for me no matter what I did or tried. We all have our own paths in life while mine could be cut short, I just hope one day you come to know true Islam so we can meet in Jannah. if (sic) not I love you and it was nice meeting you and the many laughs.” (emphasis in original). The letter to Pawpaw thanked him for all that he had done.

Pratt’s gun and other evidence from his phone in August 2023

When agents searched Pratt’s phone, the found several additional images of Pratt with apparently loaded firearms, including his Zastava ZPAP M92 in a vehicle, and other firearms.





Pratt also had more images of notorious terrorist Anwar al-Awlaki.



If this were not enough, Pratt had researched several terrorism-related or otherwise relevant terms, including: “acid attack,” “cbrn chemical agents,” “AR builds,” “flights to istanbul from detroit,” “glock,” “kalashnikov,” “kafar,” “kafir,”

“kuffir,” “martyr,” “martyrdom,” “mujihideen,” “passport application,” “passport pictures near me,” “surah for being a soldier,” “tactical boots,” “tactical knives,” “tazkiyah,” “top gas masks,” “turkey e visa,” “ummah,” and “white phosphorous.”

White phosphorus is “used for military purposes in grenades and artillery shells to produce illumination, to generate a smokescreen and as an incendiary.” *See*

<https://www.who.int/news-room/fact-sheets/detail/white-phosphorus>. “White phosphorus is harmful to humans by all routes of exposure.” *Id.*

Pratt’s post-arrest plans to flee

Upon getting bond, Pratt immediately got a new phone and sent this message at the beginning of September 2023 to the ISIS source (emphasis in the original):

“DELETE EVERYTHING” and “I WAS CAPTURED AND NOW RELEASED.

I WILL CONTACT YOU SAFELY SOON.” In the next days, Pratt told the ISIS

source “the future is uncertain I need to leave brother.” Pratt told the ISIS source that

he had a new device that is “safe.” Pratt confirmed that his passport was seized and

affirmed that “whenever I am able to come help the ummah I will be there I swear it.”

Pratt asked if the ISIS source “can get me to you without passport” because he was

“looking for any way to make the move.” Pratt repeatedly stressed his commitment to

come and serve ISIS. Pratt was ready to give his “life and ability to help the ummah,”

and his “drive and determination has not lowered but increased,” because he “would

like to help as much as I can and be the person to help us grow the state to bigger

heights than it achieved before inshaallah[sic].” Together, they hatched a fraudulent passport plan for Pratt’s escape to ISIS.

Pratt provided the ISIS source with a fake name, fake date of birth, but fairly accurate height, weight, hair color and eye color to be used for fake identification documents that Pratt believed the ISIS source would help him obtain. In response, Pratt provided the following information to the ISIS source: “Eyes: Brown; Height: 5’10”; Weight: 140; Hair: Brown; Name: Jason Ortega; DOB: 2/21/1999.” In early September, the FBI observed and confirmed that Pratt went to a CVS in Novi, Michigan, and purchased passport photos. Pratt later expressed concern to the ISIS source over the viability of the fake passport. But by October 2023, Pratt was asking the ISIS source to “help” him “with tazkiya (when one ISIS member has to vouch for another so they can travel); [because] I need to go and do my work.” Pratt told the ISIS source he continues to want to help the ummah. Pratt stressed that he wants to do it now and get where his brothers are. Pratt stated he has many plans and ideas and couldn’t wait for them to take shape. In Pratt’s words, “[n]othing is foggy and I need your assistance . . . I am no longer worried about these people if anything they should be worried about me, I am on my path akhi (a word for brother).” Near the end of that month, Pratt restated that “I am ready wallahi and I am done with this place. I need to go as soon as possible.”

In mid-November 2023, Pratt sent a video file of himself pledging Bay’ah to ISIS’s new leader. At the end of that month, Pratt again stressed that he was ready to

leave and help ISIS. At the beginning of December 2023, Pratt told the ISIS source that his flight voucher was still good for several months into 2024. That same month he told the ISIS source that “Im trying to get out of here however I can. I could get a passport from him for 5k but it’s a fake[.]”

Pratt’s post-arrest counterintelligence

In late October 2023, Pratt ominously told the ISIS source that the government “let their guard down to a point I have their information. Photo of home, Photo of vehicle outside the home, the personal information of who lives in the home etc. So regardless if they are bothering me I can turn the tables.” Pratt said “[I] have collected all the plates vin numbers which allowed me to deepen my search” and “I even have videos of them now to piece together[.]” Pratt then said that he had found a picture of one of the agents who arrested him, and that he was in the process of searching for the agent. At the start of December, Pratt stated that “my interests now are really gathering and targeting.” Turns out that Pratt’s “agent” was merely a civilian, so he was “targeting” a random citizen.

Pratt’s post-arrest ISIS support

Pratt’s FBI arrest and federal fraud case did not stop his work supporting ISIS. Throughout November 2023, Pratt sent helpful information to the ISIS source on (1) how to effectively use a “drone” for a “gas/chem” attack, (2) “missile design guides,” (3) “intel in correlation to Russia,” (4) various resources for the ISIS “brothers involved in cyber,” and (5) his “contact” who can “find exactly where [a] device is at

any given time.” Pratt also reminded the ISIS source that Pratt had already “given and found numerous resources” to ISIS. Pratt concluded that “I was made for this work, my life has been dedicated for this work since i was a child and i wont let anything restrict me or prevent me from the duty i am made to do. I found my path to the state and have dedicated everything i have to helping literally.”

Pratt’s post-arrest contact with a new ISIS source

In December 2023, Pratt contacted another online FBI persona that he believed to be a separate ISIS member (the “Second ISIS source”). Pratt expressed his desire to travel as soon as possible. Pratt said that he was focused on using Twitter/X to provide his jihadi brothers helpful materials in different languages (Arabic, English, Russian, and Spanish). He told the Second ISIS source that “when i come inshaAllah I will help you catch th[e]se kufar.” Pratt encouraged the use of ransomware that “locks and holds computer systems hostage in exchange for pay” because “this is beneficial for us because it will be a cyber-attack on the kufar and they will also have to pay us too.” Pratt also provided his Twitter/X account to the Second ISIS source. As recently as March 2024, Pratt asked the Second ISIS source to help him leave America without a passport because Pratt “need[s]” to “make hijrah” and “come to my state.”

Pratt’s post-arrest creation of social media accounts

In early November 2023, Pratt created a Twitter/X account under the name “Meh,” apparently short for Sultan Mehmed II. One of Pratt’s recovered books is titled “Commanders of the Muslim Army.” And in his conversations with the ISIS

source, Pratt's nom de guerre was "Mehmed," after Sultan Mehmed II, who conquered Constantinople in 1453. Pratt's profile picture is a standard image of this Islamic conqueror.

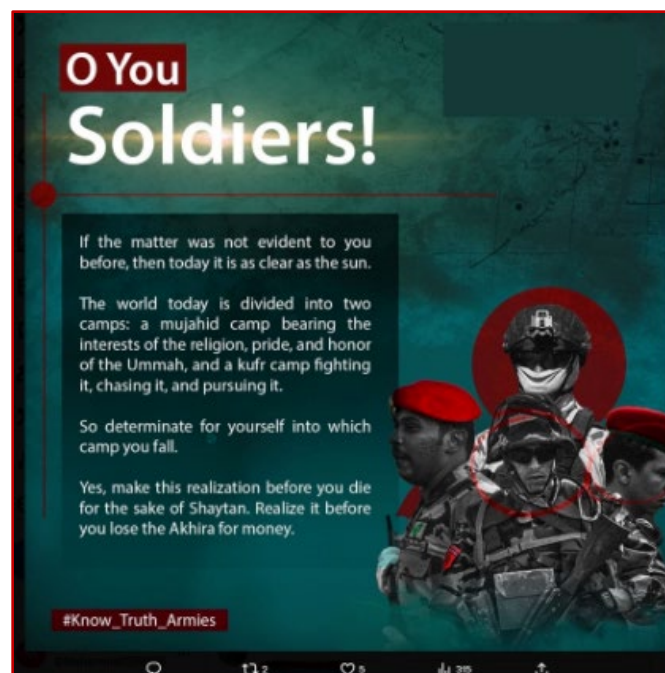


One of his first tweets was that "Westerners are a bunch of filthy animals." In mid-November he posted a video of Shaykh Anwar Al Awlaki (a radical inspiration for terrorist, as discussed above) and commented "May Allah Accept the Shaykh AAA." He then tweeted that "Every trade/every skill has a place of importance and help with this ummah." In December 2023, he posted a video with a caption that included "love of glory in death is my aspiration."

Pratt created another Twitter/X account with a similar photo of Mehmed II under the name "Mehmed" that was active in 2024.



Among other things, Pratt posted a graphic titled “O You Soldiers!” where he asserted that the world was divided into “two camps,” the “mujahid” against the “kufr” camp.



Pratt also posted an anti-American and anti-Semitic graphic with the American and Israeli flags and presidents burning, where he warned Muslims that “the Jews and Crusaders train only to crush you, weaken you, enslave you to the Jews and Crusaders[.]”

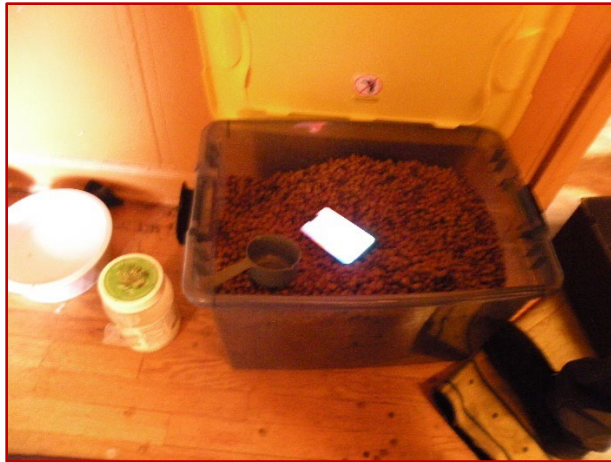


Pratt's gun possession while on federal bond

On May 28, 2024, agents executed a federal search warrant on Pratt's Bentler home and found Pratt's loaded handgun hidden in container of dogfood.



Pratt had also placed an iPhone in the dogfood. As shown here, Pratt apparently had attempted to erase the phone by setting it back to a factory reset when the agents arrived.



In addition to Pratt's handgun, Pratt had hidden additional ammunition in the wall.



Pratt also had a photograph consistent with a passport photo inside of a gun case.



II. Argument

Under the Bail Reform Act, a defendant must be detained pending trial if “the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(e)(1). The Act requires detention whenever the defendant is either a risk of nonappearance or a danger to the community. *See id.*; *United States v. Hazime*, 762 F.2d 34, 37 (6th Cir. 1985). Dangerousness “must be ‘supported by clear and convincing evidence.’” *United States v. Stone*, 608 F.3d 939, 945 (6th Cir. 2010) (quoting 18 U.S.C. § 3142(f)(2)). But the risk of nonappearance may be shown by a preponderance of the evidence. *Hazime*, 762 F.2d at 37.

A. There are *multiple* presumptions against releasing Pratt

There are two independent statutory presumptions in favor of detaining Pratt. One comes from the grand jury’s probable cause determination that Pratt committed

provided material support to a foreign terrorist organization. The other comes from Pratt's possession of a firearm while on this Court's bond.

First, “[w]hen a ‘judicial officer finds that there is probable cause to believe’ that a defendant committed one of the crimes listed in section 3142(e)(3), there is a presumption in favor of detention: ‘Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community[.]’” *Stone*, 608 F.3d at 945 (quoting 18 U.S.C. § 3142(e)(3)). “A grand jury indictment, by itself, establishes probable cause to believe that a defendant committed the crime with which he is charged.” *Hazime*, 762 F.2d at 37. The “presumption in favor of detention imposes only a ‘burden of production’ on the defendant, and the government retains the ‘burden of persuasion.’” *Stone*, 608 F.3d at 945 (citations omitted). “Although a defendant’s burden of production ‘is not heavy,’ he must introduce at least some evidence.” *Id.*

“Even when a defendant satisfies his burden of production, however, the presumption favoring detention does not disappear entirely, but remains a factor to be considered among those weighed by the district court.” *Id.* (citations and quotations omitted). “The presumption reflects Congress’s substantive judgment that particular classes of offenders should ordinarily be detained prior to trial.” *Id.* “To rebut the presumption, therefore, a defendant should ‘present all the special features of his case’ that take it outside ‘the congressional paradigm.’” *Id.* at 946.

Here, the grand jury indicted Pratt on two counts of attempting to provide material support to a foreign terrorist organization, in violation of 18 U.S.C. § 2339B. So, there is probable cause. (*See* Indictment, ECF No. 1, PageID.1-3). And there is a rebuttable presumption of detention for “an offense listed in section 2332b(g)(5)(B) of title 18, United States Code, for which a maximum term of imprisonment of 10 years or more is prescribed[.]” 18 U.S.C. § 3142(e)(3)(C). Title 18 U.S.C. § 2339B is listed in 18 U.S.C. § 2332b(g)(5)(B), carries a maximum term of imprisonment of 20 years or more, and triggers the presumption. *See United States v. Musaibli*, No. 18-20495, 2022 WL 1695765, at *10 (E.D. Mich. May 26, 2022) (where defendant was charged with providing or attempting to provide material support to a designated foreign terrorist organization, contrary to 18 U.S.C. § 2339B, the crimes are “so serious that they trigger a rebuttable presumption of pretrial detention under the Bail Reform Act.”). Pursuant to 18 U.S.C. § 3142(e)(3), “it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community.”

Second, “if a defendant has been released on bond, the government may move for revocation of the bond and an order of detention if the defendant violates a condition of the release, including committing another crime while released.” 18 U.S.C. § 3148(a). *United States v. Gentry*, 156 F.3d 1233 (6th Cir. 1998) (table). “Subject to rebuttal, there is a presumption in favor of revocation of the bond and pretrial detention if the district court finds probable cause to believe the defendant committed a felony

while on release.” *Id.* (citing 18 U.S.C. § 3148(b)). “Once the presumption is implicated, it is incumbent on the defendant to come forward with some evidence to rebut the presumption.” *Id.* (quoting *United States v. Cook*, 880 F.2d 1158, 1162 (10th Cir. 1989)). And “even if the defendant comes forward with evidence to rebut the presumption, the presumption does not disappear, but remains a factor for consideration in the ultimate release or detention determination.” *Id.*

Pratt cannot overcome the presumption(s) of detention.

B. Pratt violated his conditions of release and shall be detained

“Pursuant to § 3148(a), ‘[a] person who has been released under section 3142 of this title, and who has violated a condition of his release, is subject to a revocation of release, an order of detention, and a prosecution for contempt of court.’” *United States v. Lamar*, No. 19-CR-20515, 2021 WL 4398317, at *2 (E.D. Mich. Sept. 27, 2021) (Goldsmith, J.) (quoting 18 U.S.C. § 3148(a)). And “a judicial officer ‘shall enter an order of revocation and detention’ if the judicial officer (i) finds that there is clear and convincing evidence that the person has violated a condition of release; and (ii) finds that either (a) based on the factors set forth in 18 U.S.C. § 3142(g), there is no condition or combination of conditions of release that will assure that the person will not flee or pose a danger to the safety of any other person or the community, or (b) the person is unlikely to abide by any condition or combination of conditions of release.” *Id.* (quoting § 3148(b)). Here, Pratt violated his bond condition because he possessed a gun.

Pratt's federal bond specifically ordered that Pratt "not possess a firearm." (Order Setting Conditions of Release, Case No. 23-30352, ECF No. 10, PageID.51).

☒ (m) not possess a firearm, destructive device, or other dangerous weapons. Remove all firearms, destructive devices or other dangerous weapons from bond address and provide verification to the supervising officer within 48 hours of release.

Pratt's bond also ordered that he "must not violate federal . . . law while on release." (Order Setting Conditions of Release, Case No. 23-30352, ECF No. 10, PageID.49). Pratt is subject to prosecution for contempt of court for violating the condition that he shall not possess a firearm. *Lamar*, 2021 WL 4398317, at *2. In fact, the Court order specifically warned Pratt that with a violation he could be detained and face significant additional "penalties and sanctions."

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition) to any other sentence you receive.

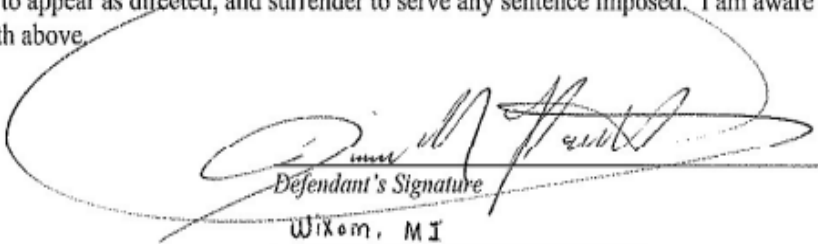
It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

(*Id.*, PageID.53).

Pratt *promised* to "obey all conditions" and signed his name to that pledge.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.


 Defendant's Signature
 Wixom, MI
 City and State

But Pratt broke his promises. He hid his loaded gun in a container of dog food and his ammunition in a wall. And the government is also moving to revoke his bond in his cybercrime case.

As shown below, there is no set of conditions that will assure that he is not a danger, flight risk, or will not (again) violate his release conditions.

C. The 18 U.S.C. § 3142(g) factors favor detention

The relevant factors are in 18 U.S.C. § 3142(g) and include the nature and circumstances of the offense, the weight of the evidence of dangerousness, the defendant's history and characteristics, and the nature and seriousness of the danger posed by the person's release.” *United States v. Hoskins*, 181 F.3d 105 (6th Cir. 1999).

1. Nature and circumstances—18 U.S.C. § 3142(g)(1)

Pratt's crimes implicate many express factors in 18 U.S.C. § 3142(g)(1).

To start, counts one and two are each a federal crime of terrorism, which is an express factor. *See* U.S.C. § 3142(g)(1) (“whether the offense is . . . a Federal crime of terrorism”). 18 U.S.C. § 2332b(g)(5)(B) specifically lists 18 U.S.C. § 2339B (relating to

providing material support to terrorist organizations) as a “Federal crime of terrorism.” “There is no question that the crimes here are among the most serious with which a defendant in federal court can be charged.” *United States v. Musaibli*, No. 18-20495, 2022 WL 1695765, at *10 (E.D. Mich. May 26, 2022). And the “grave nature of the crimes charged in this case weighs heavily in favor of continued detention.” *Id.* See also *United States v. Ceasar*, 10 F.4th 66, 79 (2d Cir. 2021) (“Terrorism represents a particularly grave threat because of the dangerousness of the crime and the difficulty of deterring and rehabilitating the criminal.”); *United States v. Hendricks*, No. 16-265, 2019 WL 1282222, at *4 (N.D. Ohio Mar. 19, 2019) (“There is no question that [the defendant] engaged in a serious criminal offense. ISIS. Terrorism. Those terms alone would likely be enough for an ordinary citizen to insist that [the defendant] spend the rest of his life in prison.”).

After getting bond, Pratt directed the ISIS source to “DELETE EVERYTHING” because “I WAS CAPTURED[.]” His attempt to destroy the evidence of his terrorism crimes increases their gravity. See *United States v. Mohammad*, No. 3:15-CR-358, 2018 WL 1185249, at *3 (N.D. Ohio Mar. 7, 2018) (When the defendant has made “concerted efforts to aid in the taking of life and then [made] an attempt to cover up those efforts[,] [t]hese accusations are by their nature severe.”).

Next, Pratt’s criminal activity involved his possession and willingness to use firearms. This is another listed factor. See 18 U.S.C. § 3142(g)(1) (“whether the offense . . . involves a firearm”). Pratt described himself as “very versed at building AR platforms,” and noted that he had “trained” and “hunted.” Pratt possessed at least three

guns (including an AR-type rifle) and repeatedly expressed his desire to use them against “Kafir.” His “dangerousness is magnified by h[is] possession of an assault-style rifle[.]” *Lamar*, 2021 WL 4398317, at *3. He threatened to send one such man to the equivalent of hell because that man dared to raise his voice to Pratt at a gas station. And Pratt sent a photo of himself holding an apparently loaded handgun in his vehicle at the same time. Pratt also sent a photo of three guns to his ISIS source. Agents recovered at least two of those at Tamarack, one in Pratt’s apartment and the other in his vehicle. They found another long gun near his items at the Bentler home. All of them were loaded. And when agents executed the next federal search warrant on May 28, 2024, they found another loaded handgun, hidden in his dog’s food. Pratt possessed this gun in direct defiance of the Court’s order.

Pratt’s crimes also involved his repeated attempts to help ISIS obtain various explosive devices, whether they be drones, remote controlled cars, or even advanced missile technologies for the advancement of ISIS’s violence objectives. This is another specified danger. *See* 18 U.S.C. § 3142(g)(1) (“whether the offense . . . involves a[n] . . . explosive, or destructive device”). Pratt sent sensitive and highly technical articles and instructions designed to arm ISIS with the ability to kill its enemies.

Pratt’s offenses carry stiff penalties. Title 18 U.S.C. § 2339B carries a maximum term of imprisonment of 20 years or more. These penalties reflect the serious nature of these crimes. *See, e.g., Baldwin v. N.Y.*, 399 U.S. 66, 68 (1970) (“In deciding whether an offense is ‘petty,’ we have sought objective criteria reflecting the seriousness with which

society regards the offense . . . and we have found the most relevant such criteria in the severity of the maximum authorized penalty.”).

2. Danger to community or anyone—18 U.S.C. § 3142(g)(4)

Pratt is a danger to the community, to others, and to his own safety. He had multiple guns at different locations. Sixth Circuit panels have upheld the pretrial detention of defendants on dangerousness grounds based in part on weapons found in the defendant’s homes. *See United States v. Abbond*, 42 Fed. App’x 784 (6th Cir. 2002) (emphasizing that “[a] search of the defendant’s home and business revealed guns, one of which was loaded,” when affirming the district court’s pretrial detention order); *United States v. Ramsey*, 110 F.3d 65 (table), 1997 WL 135443, at *1 (6th Cir. March 24, 1997) (holding that the district court did not err in ordering the defendant’s detention pending trial in part because defendant “has had access to firearms[.]”). But Pratt did not his confine his weapons to his home. He carried a gun and was willing to use it. Pratt bragged to the ISIS source that he was packing: “I have something with me thatll [sic] end his life[.]” And he sent a photo to prove it. After a man raised his voice to Pratt at a gas station, Pratt “almost made [the] kafir meet jahannam,” because with “[o]ne odd move” by the kafir, Pratt would have made the “kafir’s” son into a “bastard.”

Pratt’s words of warning for his fellow Americans are chilling. Pratt bragged that he “would love to play my part” in making non-Muslims pay for their actions, and that he “is ready and he has done things recently that gives him the stomach to hurt the kufr.” Pratt sent handwritten notes to the ISIS source showing where to place an

explosive charge on a door, where it “has potential to eliminate.” Pratt’s “interest in committing actual, physical violence . . . and lack of concern about the likelihood of killing civilians, through the use of weapons of mass destruction, firearms, and other means . . . weigh in favor of detention.” *Stone*, 608 F.3d at 948.

Pratt twice sent shadow crypto payments to the ISIS source to support ISIS’s violent goals. The first time Pratt sent money for two foreign fighters to travel and work under Pratt’s leadership. Pratt’s second contribution was for others making Hijrah or an “istishhadi” (or martyrdom) brother. Pratt used sophisticated means to transfer the crypto currency. Pratt prided himself on his ability to outsmart law enforcement because he “can turn the tables” on the federal agents. He bragged to the ISIS source that he had “videos of them,” and was in the process of searching for the agent who arrested him. And Pratt poses a particular danger to the public because he has already targeted and doxed a citizen who he mistakenly identified as an “agent.”

The fact that Pratt has not yet fulfilled his goal of traveling to fight for ISIS does not lessen his danger to the community. Quite the opposite. Pratt told the ISIS source that he wanted to “start here . . . and create the cell here” because “if my job is related to cells we should establish here prior to my departure.” Pratt assured the ISIS source that “the kufr are easy to break. You must realize I’ve grown up with them my entire life so it will be easy for my [sic] to put myself in their shoes to see their perspective to get the up on them.”

Pratt's arrest on a separate complaint did not dissuade him from his path to ISIS. Instead, he told the ISIS source that his "drive and determination has not lowered but increased[.]" Pratt's warned that "I am no longer worried about these people [.] if anything [.] they should be worried about me[.]" Pratt should be taken at his word.

3. Weight of the evidence—18 U.S.C. § 3142(g)(2)

The weight of the evidence "goes to the weight of the evidence of dangerousness, not the weight of the evidence of the defendant's guilt." *Stone*, 608 F.3d at 948. *See also Hazime*, 762 F.2d at 37 (the weight of evidence against the person "deals with the factors to be considered in determining whether there are conditions which will assure the appearance of the accused and safety of the community"). Here, the weight of the evidence of defendant's dangerousness and risk of non-appearance is strong. "The principal and most damning element of the government's case certainly is the defendant's own narrative of his service to the ISIS cause, which was conveyed to government agents by intermittent text communications over a period of several months[.]" *United States v. Musaibli*, No. 18-20495, 2022 WL 1695765, at *10–11 (E.D. Mich. May 26, 2022). Pratt's statements are powerful evidence of his dangerousness, and he provided them unfiltered to the ISIS source. *Id.* ("the admissions of a defendant come from the actor himself, the most knowledgeable and unimpeachable source of information about his past conduct.") (citing *Arizona v. Fulminante*, 499 U.S. 279, 296 (1991)). Pratt's running dialogue with the ISIS source is overflowing with Pratt's violent plans and is ample evidence of his danger to the community. *Id.* ("The defendant's

narrative of his service with ISIS . . . amply supports the serious charges against him.”). And Pratt’s stated intentions are corroborated by his (1) possession of multiple guns and ammunition, (2) acquisition of battlefield gear, (3) purchase of airline tickets, (4) cryptocurrency donations to the ISIS source, (5) handwritten goodbye letters to family, and (6) recording of videos pledging allegiance to ISIS. All of these tangible actions show that Pratt’s self-confessed violent plans must be taken seriously.

4. History and characteristics—18 U.S.C. § 3142(g)(3)

Pratt has no criminal convictions. But he has been involved in criminal activities for years by making money through illegal means. Pratt’s federal complaint details his offenses related to an alleged crypto currency fraud scheme from December 2019 to July 2021. Pratt had sporadic employment over the last few years, but was still able to accumulate several firearms, ammunition, combat gear, an apartment, and sophisticated computer equipment. And his cellphone showed that he had somehow accumulated over \$102,000 in Bitcoin.



More important, Pratt’s federal bond specifically ordered that he “must not violate federal . . . law while on release.” (Order Setting Conditions of Release, Case No. 23-30352, ECF No. 10, PageID.49). Pratt signed his name and “promise[d] to obey all conditions of release[.]” (*Id.*, PageID.53). Under this Court’s supervision, Pratt immediately reached out to the ISIS source and directed them to “DELETE

EVERYTHING” in an attempt to destroy evidence of his other federal crimes (supporting ISIS). This Court’s bond conditions also directed that Pratt “not obtain a passport . . . or other international travel documents.” (*Id.*, PageID.50). Pratt proceeded to hatch a scheme to obtain a fake passport to flee the country and purchased passport photos for this purpose. As recently as March 2024, Pratt reached out to ISIS to flee the district and violate his bond. Pratt’s flaunting of this Court’s supervision weighs against him. *See* 18 U.S.C. § 3142(g)(3)(B) (“at the time of the current offense or arrest, the person was on . . . release pending trial . . . under Federal . . . law[.]”). And even though Pratt *promised* to “obey all conditions” (including no guns) and signed his name to that pledge, Pratt’s hid his loaded gun in dogfood.

Pratt’s efforts to hide his illicit gun and ammunition, and wipe his phone are important evidence of his character. Spoliation of evidence shows “consciousness of guilt.” Sixth Circuit Pattern Instruction 7.14 (2023). And the “fact that a defendant attempts to fabricate or conceal evidence indicates a consciousness that his case is weak and from that the defendant’s guilt may be inferred.” *Id.* (citing *United States v. Mendez-Ortiz*, 810 F.2d 76, 79 (6th Cir. 1986)).

D. Pratt is also a risk of flight

Pratt is also a risk of flight. In Pratt’s own words, he planned on “leaving everything behind” because “these people are savages. Like rabid dogs.” Pratt said that he was “dying to come.” Just before he was arrested on his federal crypto case, Pratt told the ISIS source that “I am ready to leave this place, for good.” And these were not

empty words. Pratt has meticulously planned and gathered materials for his one-way journey to fight for ISIS. He purchased airline tickets. Gathered special boots, a gas mask, and other gear. He wrote goodbye letters to his family.

Pratt's consistent desire to leave the country undermines any reasonable assurance that he would not flee. *United States v. Musaibli*, No. 18-20495, 2022 WL 1695765, at *11 (E.D. Mich. May 26, 2022) ("The record supplies no good grounds for any sound assurance that the defendant would not employ any means at his disposal to flee the jurisdiction if released."). Pratt's federal supervision has only enhanced his eagerness to flee. Right after getting bond, Pratt repeatedly stressed his commitment to come and serve ISIS. Pratt was ready to give his "life and ability to help the ummah," and his "drive and determination has not lowered but increased," because he "would like to help as much as I can and be the person to help us grow the state to bigger heights than it achieved before inshaallah[sic]." Together, they hatched a fraudulent passport plan for Pratt's escape to ISIS.

E. There are no viable alternatives to custody

Pratt has already repeatedly violated this Court's bond and his pretrial supervision, including by continuing his support for ISIS, taking steps to secure a fake passport, and possessing another loaded gun. Additional conditions will not prevent him from continuing those activities. For example, a "tether offers little assurance of an appearance or an intent to forego activities that pose a danger to the community." *United States v. Tanfiki*, No. 17-20183-2, 2017 WL 1457494, at *8 (E.D. Mich. Apr. 25,

2017); *see also United States v. Edwards*, No. 07-20605, 2010 WL 157516, at *5 (E.D. Mich. Jan. 13, 2010) (agreeing that tether “would be entirely insufficient to either [e]nsure Defendant’s appearance or protect the community from the danger posed by Defendant”). Pratt has repeatedly pledged his loyalty to ISIS. Monitoring does nothing to mitigate the risk he poses to (in his own words) the “savages” and “rabid dogs” in his community. *See United States v. Cureton*, No. 12-20287, 2013 WL 4496276, at *2 (E.D. Mich. Aug. 21, 2013) (where a defendant is part of a violent organization, a GPS tether “would not alleviate the danger that Defendant poses to the community”).

The fact that Pratt’s passport was seized “merely makes it more difficult—not impossible—to abscond internationally.” *United States v. Tanfik*, No. 17-20183-2, 2017 WL 1457494, at *8 (E.D. Mich. Apr. 25, 2017). Again, Pratt asked if the ISIS source “can get me to you without passport” because he was “looking for any way to make the move.” Plus, surrendering one’s passport “obviously does nothing to restrict one from engaging in behavior that endangers the community.” *United States v. Tanfik*, No. 17-20183-2, 2017 WL 1457494, at *8 (E.D. Mich. Apr. 25, 2017).

A third-party custodian would not lessen Pratt’s dangerousness. *See, e.g., United States v. Wood*, No. 19-20216, 2020 WL 4791205, at *3 (E.D. Mich. Aug. 17, 2020) (“While [defendant’s] third-party custodian may be well intentioned, the Court does not have confidence that [defendant] is.”). And Pratt’s family would not be a suitable third-party custodian because defendant “was living with [them] when [defendant] allegedly was [committing his crimes.]” *United States v. Perry*, No. 16-20062, 2017 WL 1364083, at

*10 (E.D. Mich. Apr. 7, 2017) (citing *United States v. Boy*, 322 F. App'x 598, 600 (10th Cir. 2009) (mother not a suitable third-party custodian where defendant committed charged offense while living with his parents))).

Pratt already broke his promise and violated the Court's trust. There are no new conditions that would reasonably assure the safety of the community or prevent Pratt from fleeing.

III. Conclusion

The Court should detain Pratt.

Respectfully Submitted,

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Dated: May 28, 2024

Certificate of Service

I hereby certify that on May 28, 2024, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notification of such filing to counsel of record.